

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THEOFILOS MIHALATOS,  
Plaintiff,  
-against-  
22 BEAVER BAKE CORP., A New York  
Corporation d/b/a/ TRADERS EXPRESS DELI and  
DIPAK BANIK,  
Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/11/2025

# MEMO ENDORSED

Civil Action No. 1:24-cv-06131-DEH-BCM

~~PROPOSED JUDGMENT~~

This Judgment is entered into by and between Theofilos Mihalatos (hereinafter, "Plaintiff") and 22 Beaver Bake Corp., a New York Corporation d/b/a/ Traders Express Deli and Dipak Banik, (hereinafter, "Defendants,") hereinafter referred to collectively as ("The Parties"), subject to approval by this Court.

**WHEREAS**, Plaintiff brought this action bearing Case Number 1:24-cv-06131-DEH-BCM (hereinafter, the "Action") alleging violations of the Fair Labor Standards Act ("FLSA"), New York Labor Law ("NYLL"), and related regulations by Defendants;

**WHEREAS**, Defendants 22 Beaver Bake Corp. and Dipak Banik were properly served with the Complaint in this Action and have not contested the jurisdiction of this Court;

**WHEREAS**, Plaintiff and Defendants 22 Beaver Bake Corp and Dipak Banik negotiated a resolution of the Action, as memorialized in the Parties' Offer of Judgment, by agreeing that Plaintiff would dismiss the Action with prejudice and release certain claims in exchange and in consideration for payment by Defendants to Plaintiff in the aggregate amount of Sixty-Thousand Five Hundred Dollars and zero cents (\$62,500.00), without any admission of wrongdoing or liability by Defendants;

**WHEREAS**, the Defendants 22 Beaver Bake Corp and Dipak Banik have agreed to and must pay Sixty-Two Thousand Five Hundred Dollars and zero cents (\$62,500.00) in accordance with the installment payment schedule outlined in the Offer of Judgment, as docketed by this Court as ECF Document #41;

**WHEREAS**, in the event that Defendants 22 Beaver Bake Corp and Dipak Banik are in default of any of the installment payments due under the Offer of Judgment, the Offer of Judgment provides that Plaintiff shall provide Defendants with ten (10) calendar days' notice via email to Defendants' counsel (msegal@segallegal.com) ~~of their intent to file this Judgment with the Court~~, and Defendants shall be afforded the opportunity to cure the default;

**NOW, THEREFORE, IT IS HEREBY STIPULATED, ORDERED, ADJUDGED, AND DECREED** that the Clerk of the Court shall enter Judgment with respect to all claims contained in the complaint in this action in favor of Plaintiff THEOFILOS MIHALATOS, and against **22 BEAVER BAKE CORP.**, A New York Corporation d/b/a/ Traders Express Deli and **DIPAK BANIK**, jointly and severally, in the total sum of Sixty-Two Thousand Five Hundred Dollars and zero cents (\$62,500.00.)

So Ordered:



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Honorable Barbara Moses  
**United States Magistrate Judge**  
**August 11, 2025**